

UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA
(PITTSBURGH)

IN RE:

Kimberly E. Watson
DEBTOR

Trustee Ronda J. Winnecour
MOVANT

v.

**The Bank of New York Mellon FKA The
Bank of New York, as Trustee for the
Certificateholders of the CWABS Inc.,
Asset-Backed Certificates, Series 2006-BC5**
RESPONDENT

CHAPTER 13

CASE NO: 17-23555-TPA

RELATED TO DOC 133, 136, 139, 141 , 144

**CONSENT ORDER RESOLVING THE BANK OF NEW YORK MELLON FKA THE
BANK OF NEW YORK, AS TRUSTEE FOR THE CERTIFICATEHOLDERS OF THE
CWABS INC., ASSET-BACKED CERTIFICATES, SERIES 2006-BC5'S RESPONSE TO
NOTICE OF FINAL CURE PAYMENT AND THE TRUSTEE'S MOTION FOR
DETERMINATION OF FINAL CURE UNDER F.R.B.P. 3002.1(h)**

WHEREAS on June 9, 2021, the Chapter 13 Trustee filed a Notice of Final Cure Payment (Doc. 133) of the mortgage lien held by The Bank of New York Mellon FKA The Bank of New York, as Trustee for the Certificateholders of the CWABS Inc., Asset-Backed Certificates, Series 2006-BC5 ("The Bank of New York Mellon"), reporting that the mortgage has been paid through April 30, 2021 and that the Debtor was to resume mortgage payments beginning May 1, 2021 (the "Takeover Date").

WHEREAS on June 30, 2021, The Bank of New York Mellon filed a Response to Notice of Final Cure Payment (Doc. 136) agreeing that the pre-petition arrears had been paid in full, but disagreeing that Debtor was current on post-petition payments.

WHEREAS the Court subsequently scheduled a status conference on the Response to Notice of Final Cure Payment, to be held on August 11, 2021 (Doc. 139).

WHEREAS the Chapter 13 Trustee thereafter filed a Motion for Determination of Final Cure Under F.R.B.P. 3002.1(h) (Doc. 141) (“Motion for Determination”), asserting that there was no deficiency as of the Debtor’s Takeover Date and that the mortgage should be deemed cured and current through April 30, 2021.

WHEREAS upon review of the Trustee’s Motion for Determination and upon further investigation, Movant now agrees with the Trustee’s assessment that the Trustee has disbursed all payments due to Movant under the Debtor’s Chapter 13 Plan.

NOW THEREFORE, it is hereby stipulated by and between Hill Wallack LLP, counsel for The Bank of New York Mellon and Ronda J. Winnecour, Chapter 13 Trustee, as follows:

- (1) The Trustee has disbursed all payments in accordance with the Debtor’s Chapter 13 Plan through April 30, 2021 as to the mortgage of The Bank of New York Mellon.
- (2) All prepetition arrears have been paid and the post-petition payments are fully current as of April 30, 2021.
- (3) The Debtor is to have resumed direct payments for all payments coming due in and after May 1, 2021.
- (4) The Bank of New York Mellon will not add any fees or other charges to the Debtor’s account in connection with the filing of its Response to the Notice of Final Cure or any subsequent related filing or for attending any hearing in this matter.

(5) As a result of this Consent Order, the hearing on the Trustee's Motion for Determination, as well as the status conference on The Bank of New York Mellon's Response to Notice of Final Cure Payment, both scheduled for August 11, 2021, are hereby cancelled.

(6) The parties agree that a facsimile signature shall be considered an original signature.


/s/ Jim Warmbrodt
Jim Warmbrodt, Esquire, for the Chapter 13 Trustee

Dated: 7/23/2021

/s/ Kaitlin D. Shire
Kaitlin D. Shire, Esquire
Counsel for Secured Creditor

Dated: 7/26/2021

Dated: August 11, 2021



Thomas P. Agresti, Judge
United States Bankruptcy Court

In re:
Kimberly E. Watson
Debtor

Case No. 17-23555-TPA
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2
Date Rcvd: Aug 13, 2021

User: nsha
Form ID: pdf900

Page 1 of 2
Total Noticed: 1

The following symbols are used throughout this certificate:

Symbol	Definition
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+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.
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Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Aug 15, 2021:

Recip ID	Recipient Name and Address
db	+ Kimberly E. Watson, 810 GARDEN CITY DR, Monroeville, PA 15146-1118

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Aug 15, 2021

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on August 13, 2021 at the address(es) listed below:

Name	Email Address
Andrew M. Lubin	on behalf of Creditor THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW YORK AS TRUSTEE (CWABS 2006-BC5) alubin@milsteadlaw.com, bkecf@milsteadlaw.com
Brian Nicholas	on behalf of Creditor THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW YORK AS TRUSTEE (CWABS 2006-BC5) bnicholas@kmlawgroup.com
Brian C. Thompson	on behalf of Debtor Kimberly E. Watson bthompson@ThompsonAttorney.com blemon@thompsonattorney.com;bthompson@ecf.courtdrive.com;jcastello@thompsonattorney.com;kfinke@thompsonattorney.com
Kaitlin Shire	on behalf of Creditor THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW YORK AS TRUSTEE FOR THE CERTIFICATEHOLDERS OF THE CWABS INC., ASSET-BACKED CERTIFICATES, SERIES 2006-BC5 c o Shellpoint Mortgage Servicing kshire@hillwallack.com, lharkins@hillwallack.com;hwbnkj@hillwallack.com

District/off: 0315-2

User: nsha

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Date Rcvd: Aug 13, 2021

Form ID: pdf900

Total Noticed: 1

Matthew Christian Waldt

on behalf of Creditor Bayview Loan Servicing LLC mwaldt@milsteadlaw.com bkecf@milsteadlaw.com

Matthew Christian Waldt

on behalf of Creditor THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW YORK AS TRUSTEE (CWABS 2006-BC5) mwaldt@milsteadlaw.com, bkecf@milsteadlaw.com

Office of the United States Trustee

ustpreion03.pi.ecf@usdoj.gov

Ronda J. Winnecour

cmecf@chapter13trusteedpa.com

S. James Wallace

on behalf of Creditor Peoples Natural Gas Company LLC ecfpeoples@grblaw.com PNGbankruptcy@peoples-gas.com

TOTAL: 9